

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

DAVID BUCHANAN, EVA FIGUEROA, and
JAVON JONES, *on behalf of themselves, FLSA
Collective Plaintiffs and the Class,*

Plaintiffs,

v.

PAY-O-MATIC CHECK CASHING CORP. and
THE PAY-O-MATIC CORP.,

Defendants.

Case No.: 18-cv-885

**NOTICE OF PLAINTIFFS' MOTION FOR AN ORDER (1) CONDITIONALLY
CERTIFYING SETTLEMENT CLASS AND COLLECTIVE ACTION, (2) GRANTING
PRELIMINARY APPROVAL TO PROPOSED CLASS ACTION SETTLEMENT AND
PLAN OF ALLOCATION, (3) DIRECTING DISSEMINATION OF NOTICE AND
RELATED MATERIAL TO THE CLASS, AND (4) SETTING DATE FOR FAIRNESS
HEARING AND RELATED DATES**

For the reasons set forth in the Memorandum of Law in Support of Plaintiffs' Motion for an Order (1) Conditionally Certifying Settlement Class and Collective Action, (2) Granting Preliminary Approval to Proposed Class Action Settlement and Plan of Allocation, (3) Directing Dissemination of Notice and Related Material to the Class, (4) Setting Date for Fairness Hearing and Related Dates ("Motion for Preliminary Approval"), and the Declaration of C.K. Lee in Support of Plaintiffs' Motion for Preliminary Approval ("Lee Declaration"), Plaintiffs respectfully request that the Court enter an Order:

- (1) granting preliminary approval of the Settlement Agreement and Release ("Settlement Agreement"), **Exhibit A** to the Lee Declaration;
- (2) certifying the proposed class for settlement purposes;
- (3) appointing Lee Litigation Group, PLLC ("Lee Litigation Group") ("Plaintiffs' Counsel") as Class Counsel;

- (4) appointing Rust Consulting, Inc. as Claims Administrator;
- (5) approving the proposed Notice of Class Action Settlement, **Exhibit B** to the Lee Declaration; and
- (6) granting such other, further, or different relief as the Court deems just and proper.

* * *

Plaintiffs have contemporaneously submitted a Proposed Order, attached as **Exhibit A** hereto, for the Court's convenience.

Dated: May 14, 2020
New York, New York

Respectfully submitted,

By: /s/ C.K. Lee
Lee Litigation Group, PLLC
C.K. Lee, Esq.
Anne Seelig, Esq.
148 West 24th Street, Eighth Floor
New York, NY 10011
(212) 465-1188
*Attorneys for Plaintiffs, FLSA Collective
Plaintiffs and the Class*